

Message Text

CONFIDENTIAL

PAGE 01 STATE 053610
ORIGIN IO-13

INFO OCT-01 ISO-00 OES-06 NEA-10 L-03 AF-08 ARA-06 EA-07
EUR-12 DHA-02 MCT-01 NSC-05 SS-15 PRS-01 ORM-02 OMB-01
TRSE-00 OIC-02 NSCE-00 SSO-00 /095 R

DRAFTED BY IO/IEP:DCKURTZER/AD

APPROVED BY IO:JBAKER

IO/IEP:PDWYMAN

IO/UNP:GBHELMAN

OES/ENP:BLLONG

NEA/IAI:GDKULICK

L/NEA:WRHODES

DESIRED DISTRIBUTION

-----102304Z 114080 /70

O 102136Z MAR 77

FM SECSTATE WASHDC

TO USDEL MAR DEL PLATA IMMEDIATE

C O N F I D E N T I A L STATE 053610

E.O. 11652: GDS

TAGS: SENV, OCON, UN, XF

SUBJECT: UN WATER CONFERENCE: POSITION PAPER ON ARAB-
ISRAEL ISSUES

THE ARAB-ISRAEL CONFLICT - CONTINGENCY POSITION PAPER

THE ISSUES

ISSUES INVOLVING THE PALESTINE LIBERATION ORGANIZATION
(PLO) AND THE ARAB-ISRAEL CONFLICT COULD ARISE IN AT
LEAST TWO WAYS: (A) CONCERNING ECOSOC RESOLUTION 2126
WHICH CALLED ON THE UN TO CONSULT AND TO COOPERATE WITH
THE PLO TO DETERMINE AND TO ADDRESS THE SOCIAL AND ECONOMIC
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 053610

NEEDS OF THE PALESTINIAN PEOPLE; OR (B) INVOLVING THE
RIGHTS OF THE ARAB POPULATIONS IN THE OCCUPIED TERRITORIES.

RELATIVE IMPORTANCE OF THE ISSUES TO THE US

BECAUSE OF THEIR POTENTIAL IMPACT ON THE INTERNAL
STABILITY OF STATES IN THE REGION AND ON THE CHANCES FOR

A NEGOTIATED SETTLEMENT, DEBATES INVOLVING THE PLO OR ARAB-ISRAEL ISSUES IN MULTILATERAL FORUMS ARE OF SIGNIFICANT INTEREST TO THE UNITED STATES.

US POSITIONS

1. IF AT ALL POSSIBLE, THE DELEGATION SHOULD SEEK TO POSTPONE CONSIDERATION OF ANY ARAB-ISRAEL ISSUE AND REPORT IMMEDIATELY TO THE DEPARTMENT. SUCH A DELAY WILL ALLOW FULL CONSIDERATION OF THE SPECIFIC WAY IN WHICH THE ISSUE HAS ARISEN.

2. IF IT IS NOT POSSIBLE TO DELAY CONSIDERATION OF AN ARAB-ISRAEL ISSUE, THE DELEGATION SHOULD BE GUIDED BY THE FOLLOWING:

(A) WE OPPOSED THE ECOSOC RESOLUTION BECAUSE IT MADE AN EXTRANEIOUS POLITICAL JUDGMENT CONCERNING THE REPRESENTATION OF PALESTINIANS (THE RESOLUTION TERMED THE "PLO, THE REPRESENTATIVE OF THE PALESTINIAN PEOPLE"). WE SAID AT THE TIME, AND SUBSEQUENTLY IN THE GENERAL ASSEMBLY, THAT WE ARE AS CONCERNED AS OTHERS THAT THE SOCIAL AND ECONOMIC NEEDS OF THE PALESTINIANS BE FULLY MET. WE POINTED TO OUR STRONG FINANCIAL SUPPORT OF UNRWA, THE UN RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES (IN 1976, \$38.7 MILLION AND IN 1977 \$26.7 MILLION, PROJECTED TO INCREASE TO \$48.7 MILLION). WE FELT, HOWEVER, THAT THE UN HAD EXCEEDED ITS MANDATE IN MAKING A POLITICAL JUDGMENT THAT SHOULD BE LEFT TO NEGOTIATIONS AMONG THE PARTIES TO

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 053610

THE CONFLICT.

WE NONETHELESS RECOGNIZE THAT THE UN SECRETARY-GENERAL FEELS BOUND TO CARRY OUT THE INTENT OF THE RESOLUTION, AND TO CONSULT AND TO COOPERATE WITH THE PLO. WE HAVE URGED THE SPECIALIZED AGENCIES TO LIMIT THEIR ACTIVITY IN THIS RESPECT TO PRELIMINARY CONSULTATIONS, RATHER THAN TO COLLABORATION WITH THE PLO ON SPECIFIC PROJECTS. IF THE SECRETARIAT OF THE WATER CONFERENCE FEELS THE NEED TO CONSULT WITH THE PLO, IT SHOULD BE URGED TO CONFINE ITSELF TO A PRELIMINARY SOUNDING OF PLO INTEREST IN THE PROBLEM OF WATER, AND AWAIT A PLO RESPONSE BEFORE PROCEEDING FURTHER.

THE DELEGATION WILL UNDOUBTEDLY GAIN LITTLE SUPPORT FROM OTHERS IN THE ATTEMPT EITHER TO SHELVE THE ISSUE OR TO LIMIT SECRETARIAT ACTION. THESE EFFORTS SHOULD, THEREFORE, BE LOW-KEY, SO AS NOT TO PROMPT CONFRONTATION, AND BEHIND-THE-SCENES, PRIMARILY WITHIN THE SECRETARIAT

STAFF.

(B) WATER AND THE OCCUPIED TERRITORIES: THIS ISSUE IS MORE COMPLEX AND HAS SEVERAL DISTINCT, THOUGH INTER-

RELATED ASPECTS. THE LEGAL IMPLICATIONS OF THE SHARED-RIVER/RIVER-BOUNDARY PROBLEM (INVOLVING THE JORDAN RIVER) ARE TREATED SEPARATELY IN A POSITION PAPER COVERING THE BOUNDARY PROBLEM. THE DELEGATION SHOULD USE THAT PAPER IN CONJUNCTION WITH THE PRESENT ONE IF THE OCCUPIED TERRITORIES ISSUE ARISES.

IN RECENT YEARS THERE HAVE BEEN NUMEROUS GENERAL ASSEMBLY AND SECURITY COUNCIL DEBATES ON ISRAELI PRACTICES IN THE OCCUPIED TERRITORIES. MOST OF THESE HAVE HAD AN OSTENSIBLE HUMAN-RIGHTS FOCUS; AND NONE HAS DEALT WITH A SINGULAR FUNCTIONAL PROBLEM SUCH AS WATER. AT HABITAT, CONFIDENTIAL

CONFIDENTIAL

PAGE 04 STATE 053610

HOWEVER, ISSUES INVOLVING THE OCCUPIED TERRITORIES AROSE IN A NUMBER OF DIFFERENT WAYS YET, WITHOUT KNOWING THE EXACT WAY IN WHICH THIS ISSUE WILL DEVELOP AT THIS CONFERENCE, IT IS DIFFICULT TO PROVIDE SPECIFIC GUIDANCE.

GENERALLY, THE US HAS UPHELD THE APPLICABILITY OF THE FOURTH GENEVA CONVENTION TO THE TERRITORIES UNDER ISRAELI OCCUPATION. ADDITIONALLY, WE HAVE HELD, BASED ON THE 1907 HAGUE CONVENTION, THAT ISRAEL CANNOT DEVELOP, EVEN UNDER THE RIGHTS OF A USUFRUCTUARY, NEW OIL FIELDS IN THE OCCUPIED TERRITORIES. THE APPLICABILITY OF THIS POSITION TO WATER IS THUS A CENTRAL QUESTION. FINALLY, PRINCIPLES OF NATIONAL LAW REGARDING THE RIGHTS AND DUTIES OF AN OCCUPYING POWER MAY AFFECT THE POSITION THE US WOULD TAKE ON AN ISSUE OF THIS NATURE.

FOR POLITICAL REASONS, WE ARE USUALLY HESITANT ABOUT ASSOCIATING OURSELVES WITH ARAB-INSPIRED CONDEMNATIONS OF ISRAELI POLICY WHICH ARE OFTEN BASED ON SWEEPING UNSUBSTANTIATED ALLEGATIONS. WE BELIEVE THAT SUCH TACTICS VIOLATE RULES OF OBJECTIVITY, IMPEDE PROGRESS ON THE NEGOTIATING FRONT BY FURTHER ALIENATING ISRAEL, AND CONTRIBUTE TO A BITTER ATMOSPHERE IN THE REGION. ON THE OTHER HAND, A CAREFULLY CONSTRUCTED RESOLUTION, BASED ON POSITIONS WE HAVE HELD PUBLICLY (E.G., AS WAS DONE IN A SECURITY COUNCIL CONSENSUS STATEMENT LAST NOVEMBER) AND SUBSTANTIATED BY DISINTERESTED INVESTIGATION MIGHT BE DIFFICULT TO OPPOSE.

THE DELEGATION'S ARGUMENTATION, THEREFORE, SHOULD AIM

PRIMARILY AT BUYING TIME UNTIL INSTRUCTIONS CAN BE
RECEIVED FROM WASHINGTON. THE DELEGATION MIGHT ARGUE,
IN THIS RESPECT, THAT WE ASSUME NO PARTICIPANT WANTS TO
REPEAT THE HABITAT EXPERIENCE, WHERE POLITICAL CONFRONTA-
TION OVERSHADOWED AND DETRACTED FROM THE IMPORTANT
CONFIDENTIAL

CONFIDENTIAL

PAGE 05 STATE 053610

PURPOSES OF THE CONFERENCE.
VANCE

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLICIES, PAPERS, POLITICAL MILITARY RELATIONS, WATER, MEETINGS
Control Number: n/a
Copy: SINGLE
Sent Date: 10-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE053610
Document Source: CORE
Document Unique ID: 00
Drafter: DCKURTZER/AD
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770083-0449
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770372/aaaacjlg.tel
Line Count: 183
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 09ed3dba-c288-dd11-92da-001cc4696bcc
Office: ORIGIN IO
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 16-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3146668
Secure: OPEN
Status: NATIVE
Subject: UN WATER CONFERENCE: POSITION PAPER ON ARAB- ISRAEL ISSUES THE ARAB-ISRAEL CONFLICT - CONTINGENCY POSITION
PA
TAGS: SENV, OCON, XF, US, UN
To: MAR DEL PLATA
Type: TE
vdkgvkey: odbc://SAS/SAS.dbo.SAS_Docs/09ed3dba-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009